

REMARKS

Reconsideration and allowance are respectfully requested.

The Examiner requests formal drawings which are submitted with this response.

Withdrawal of the drawing objections is requested.

Claims 1, 3-10, 12-19, and 21-27 stand rejected under 35 U.S.C. §102 for anticipation by USP 5,050,212 to Dyson. This rejection is respectfully traversed.

To establish that a claim is anticipated, the Examiner must point out where each and every limitation in the claim is found in a single prior art reference. *Scripps Clinic & Research Found. v. Genentec, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). Every limitation contained in the claims must be present in the reference, and if even one limitation is missing from the reference, then it does not anticipate the claim. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565 (Fed. Cir. 1986). Dyson fails to satisfy this rigorous standard.

Dyson is concerned with alteration of boot software used in the initial start up of a computer in the specific situation where the computer gets its boot software over a communication network or from a separate storage location. Changes may have been made to the boot file while it was separated from the computer or the computer was turned off. Dyson's goal is to verify the integrity of such a boot file received at a client computer from a server communicating with several client computers over a broadcast network before that client computer uses the boot file. See column 1, lines 31-45, column 1, lines 65-68, and column 2, lines 47-56. The client computer stores a unique identifier—a hashed value—for the file it will receive over the network. When the file is received, the client computer recalculates the identifier for the received file and compares the recalculated identifier with the stored identifier to determine if the received file has been altered. In this regard, Dyson's teachings are similar to

what is described on page 2, lines 23-26 of the instant application, except that Dyson's identifier is stored in a non-volatile memory at the client computer.

Independent claims 1 and 10 recite features not disclosed in Dyson. For example, both claims recite "***directly*** comparing ***the entire contents*** of said stored computer file ***with the entire contents of an archive copy*** of said computer file **as stored when said stored computer file was created.**" If the entire contents of the stored computer file does not match the entire contents of the archived copy of the computer file, further countermeasures are triggered to protect against a potential malicious alteration. Dyson does ***not*** directly compare the entire contents of two files. Instead, Dyson compares the stored file hash value with the recalculated file hash value.

Dyson admits that there is uncertainty associated with comparison being based on the hash IDs. See col. 4, lines 15-20. Comparing the entire file contents is thus more accurate and reliable than comparing file hash values. Unlike Dyson, the inventors recognized that computers have increased storage capacity which permits archiving computer files without undue cost or impact. Having the archived copy allows for the direct comparison which is not disclosed in Dyson. In fact, Dyson does not even disclose an archived copy of the file.

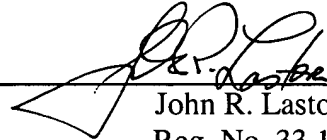
Lacking features recited in the independent claims, the rejections based on Dyson should be withdrawn. The application is in condition for allowance. An early notice to that effect is solicited. If the Examiner believes that a telephone conference would be helpful in advancing the prosecution of this application, the Examiner is kindly invited to contact the undersigned at the telephone number noted below.

WOLFF et al.
Appl. No. 09/854,493
April 22, 2005

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

A handwritten signature in black ink, appearing to read "John R. Lastova", is written over a horizontal line.

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AMENDMENTS TO THE DRAWINGS

The attached five sheets of formal drawings replace the original sheets.

ATTACHMENT: REPLACEMENT SHEETS